

STATE PROPERTIES COMMITTEE

Tuesday, December 20, 2005

The meeting of the State Properties Committee was called to order at 10:09 A.M. by Chairman Jerome F. Williams. Other Members present were, Richard Woolley, Esquire, Public Member, Mr. Robert K. Griffith.

Also present were, Marlene McCarthy-Tuohy, from the Department of Administration, John Bolton and Kelly Coats for Carpionato properties, Marc Malkasian, John Glynn, Michael Mitchell, Esquire, Valeria Bianco, Paul Carcieri, from the Department of Transportation, Robert C. Bromley from the Senate Fiscal, Juan Mariseal, Will Riversso from the Water Resource Board, Thomas J. Liguori, Jr. from Charlestown Estates, Joseph Dias, Lisa Primiano from the Department of Environmental Management, John Botton from Hinckley Allen.

1. Old Business

2. New Business – Miscellaneous – The next scheduled meeting will be held on Tuesday, December 27, 2005.

The minutes from the meeting held on December 6, 2005 were approved.

ITEM A – DEPARTMENT OF ADMINISTRATION- The lease Agreement for the Cranston Street Armory with Have No Fear Productions has been deferred to the December 27, 2005 meeting.

ITEM B – DEPARTMENT OF ENVIRONMENTAL MANAGEMENT – The

lease and Tripartite Agreement with J & D Realty Holdings, LLC has been deferred to the January 17, 2005 meeting.

ITEM C – DEPARTMENT OF ENVIRONMENTAL MANAGEMENT – A request was made by the department for final approval and signatures on a Park Use Agreement, Town of Charlestown, Mud Cove Property. The Department is looking for a twenty five year lease agreement with the town of Charlestown, who is looking to put in a canoe launch, walking trails and a neighborhood park. Charlestown will be assume any responsibility for the park. The Chair questioned the fact that there might be a problem with a twenty five year agreement. The State Properties Committee is limited to twenty year agreements. A motion was made by Mr. Robert Griffin to move this item to a later meeting to obtain further information on the maximum amount of time a lease agreement may be established. The motion was seconded by Mr. Woolley.

Passed Unanimously

ITEM D – DEPARTMENT OF ENVIRONMENTAL MANAGEMENT – A request was made for approval and signatures of Deed Development Rights for acquisition of development rights over 95-73 acres from KEAH Properties, LLC. Two parcels of land in the town of South Kingstown that are used for turf farms. The property was reviewed and approved by Department of Environmental Management's, Agricultural Land Preservation Commission. The funding for the project would come from the Agricultural Land Preservation and South Kingston Land Trust. The appraised value of the development rights is \$880,000.00 and the South Kingston Land trust negotiated

the purchase in the amount of \$850,000.00. The owner will be allowed in the future to build one house on either one of the lots. This is a standard practice with Agricultural Land Preservation that would allow the farmer to live on the property. A motion to approve was made by Mr. Griffith and seconded by Mr. Woolley, Esquire.

Passed Unanimously

ITEM E – DEPARTMENT OF ADMINISTRATION – A request for final approval and signatures and transfer of ownership/documents regarding Growing Children of Providence was received. Ms. McCarthy-Tuohy stated that all information that was required has been received. (Current Ins., DCYF Approval, Dept. of Education Approval, and New Owners Resume). The department is requesting the committee to sign the Approval of Stock Transfer, subject to conditions that the new owner will have to meet and get additional information to us. A motion was made to approve by Mr. Woolley and seconded by Mr. Griffin subject to the conditions that have been listed on the Stock Transfer. The Committee will hold the documents until this is fulfilled.

Passed Unanimously

ITEM F – WATER RESOURCES BOARD – A request was made for authorization to Appraise, Survey, Title Search and Negotiate Properties on two pieces of properties in South Kingstown. These would be of great use due to the fact that the parcels have adjacent public water supplies and these parcels could be used as a backup water supply. Funding from the purchase of this program comes from Bond issues that were passed in Fiscal Year 2000 and Fiscal

Year 2004. A motion to approve was made by Mr. Griffin and seconded by Mr. Woolley.

Passed Unanimously

ITEM G – DEPARTMENT OF TRANSPORTATION – A request was made for approval and execution of a Lease Agreement at 2 James Street was deferred to the December 27, 2005 meeting.

ITEM H – DEPARTMENT OF TRANSPORTATION – A request for approval and signatures on Quit-Claim Deeds, RIDOT and 5-113, LLC (Carpionato Properties), Routes 5 and 113, Warwick. Convey of 6.9 Acres of excess land with the city of Warwick declined its rights to all of the property, and the former owners also declined to exercise their right based on formal notification. This land will be utilized by Carpionato Properties. A motion for approval made by Mr. Griffith and seconded by Mr. Woolley.

Passed Unanimously

ITEM I – DEPARTMENT OF TRANSPORTATION – A request for approval and execution of documents was made for the Transfer Deed for Meeting Street School/MSC Realty Inc. There is a clause in this Deed that if for any reason this property is not utilized or developed by the campus in five years that it would automatically be reverted back to the Department of Transportation. The City or the former owner has not come forward to exercise there rights based on formal notification. A motion for approval was made by Mr. Griffith and seconded by Mr. Woolley.

Passed Unanimously

ITEM J – DEPARTMENT OF TRANSPORTATION – A request was made for approval and execution of a Sign Agreement License, Location: 1218 Kingstown Road, South Kingstown, RI, Amici Salon, Inc. The Town has asked if we could help them out with the beautification of the small business properties. The owner (Amici Salon) has asked for permission of a Lease Agreement for air space for an awning. All insurance certificates and corporation information has been provided. There is normally a standard fee, however the Town has asked for assistance regarding the fee as these are very small businesses. The agreement is for a standard five years with renewal in three years. The Departments standard fee is \$600.00 and they have agreed to \$30.00 which was the appraised price. A question was raised by the Chair on how the property was appraised. In response, appraisal was based on air rights only based on data book and other applicable market information. Mr. Woolley questioned how long the awning has been in place? Awning has been up for approximately two months. Mr. Griffith stated that the Department should maintain appropriate prices and that we should avoid after the fact approvals. A motion for approval was made by Mr. Griffith and seconded by Mr. Woolley.

Passed Unanimously

ITEM K – DEPARTMENT OF TRANSPORTATION – A request for approval and signature on an Amendment to a Permanent Easement Agreement in conjunction with a Physical Alteration Permit, Thomas Food Enterprises. This would be no fee to state. The current tenant would be adding a drainage pipe under the existing building and

expanding their building. The department did not have a drainage easement on that property. The owner approached the department and worked out an agreement. At any time there is a problem the state will have access to the drainage line. A motion for approval was made by Mr. Woolley and seconded by Mr. Griffith.

Passed Unanimously

ITEM L – DEPARTMENT OF TRANSPORTATION – A request for conceptual approval for Gratis transfer to the Town of New Shoreham Plat 5, Parcel 118. The town owns the Beach and the state owns a piece of property which houses a well. The land was deeded over at no cost to Department of Environmental Management to maintain the state beach. The state then handed over ownership of the beach to the town. In all fairness to the town the department feels as though it is only right to hand this piece of property over them. A question was asked by the Chair if there were any restrictions placed on the transfer. In response the department is only looking for conceptual approval only at this time but there would be a restriction in the clause stating that housing the well will be the sole purpose for this piece of property. A motion for approval was made by Mr. Woolley and seconded by Mr. Griffith.

Passed Unanimously

ITEM M – DEPARTMENT OF TRANSPORTATION – A request to approve the Execution of a Quit Claim Deed, from Rhode Island Department of Transportation to Westerly Ventures, LLC, for 18,444+ sq. ft., on Airport Road and Route 1, Westerly. The department had appraised the property in August of 2005, and had a value of \$12 a sq.

ft. Westerly Ventures had the property appraised in April of 2005 it was valued at \$8.06 a sq. ft. The department and Westerly Ventures have come to a compromise of \$10 a sq. ft. for the 18,444 sq. ft. parcel. Restrictions included in the Deed related to a Welcome to Westerly sign on site and responsibility of the landscaping of the property, land to have safe access distance from the Rt. One, Rt. 78 interchange. A motion of approval was made by Mr. Woolley and seconded by Mr. Griffith.

Passed Unanimously

ITEM N – DEPARTMENT OF TRANSPORTATION – A request for a License for Groundwater & Environmental Services for the Installation of Ground Water Testing Wells in the vicinity of 354 Putnam Pike, Smithfield. Wells are being installed at the request of the department of Environmental Management in the vicinity of a gas station. As part of the requirements of the Department of Transportation and the amount of development in the area, each department will receive a report on the water quality. This would run from December of 2005 and to end in November of 2008. It is unknown at this time how long these will be in place, depending on the results of the readings. Results will be given to both Department of Transportation and Department of Environmental Management. A motion of approval was made by Mr. Griffith and seconded by Mr. Woolley.

Passed Unanimously

ITEM O – DEPARTMENT OF TRANSPORTATION – A Request was made for renewal of Gratis License for a ten year license at Fletcher

Ave., Cranston, Licensee, and the City of Cranston. This parcel is 18,000 Sq. Ft. and is used to for storage and Maintenance of City owned school buses. A motion to approve was made by Mr. Griffith and seconded by Mr. Woolley.

Passed Unanimously

ITEM P – DEPARTMENT OF TRANSPORTATION – A request for execution of a Quit Claim Deed to Charlestown Estates Inc. for the disposition of 77,188 Sq. Ft. of land located on Airport Road in Westerly. This had come before the board on November 22 for conceptual approval. This property will not be used for residential purposes and will have to ensure that any development will have no effect air hazard navigation of this property. Land use will be for access to potential commercial development and possible beautification of the area. A motion of approval was made by Mr. Woolley and seconded by Mr. Griffith.

Passed Unanimously

ITEM Q – DEPARTMENT OF TRANSPORTATION – A request for renewal of License Agreement Rhode Island Department of Transportation / Licensee and the: Rhode Island Family Court, One Dorrance Street, Providence, for approximately 8,800 sq. ft. Condemnation Plat 900. Family court will use this for parking and is a five year Lease commencing on January 1, 2006 ending December 31, 2010. This lease has the standard cancellation clause. A motion to approve was made by Mr. Griffith and seconded by Mr. Woolley.

Passed Unanimously

ITEM R – STATE PLANNING PROGRAM – A duplicate of Item P

ITEM S – OFFICE OF THE PUBLIC DEFENDER – A request for final approval and signatures on a lease agreement between the Office of the Public Defender and Forward Point, LLC for office space at 69 Richmond Street, Providence. This has been deferred to the December 27 meeting.

The Committee moves to go into Executive Session, pursuant to Rhode Island General Law 42-46-4(a)(5) for specific purpose of discussion of consideration related to the acquisition or lease of real property for public purpose, or of the disposition of publicly held property wherein advanced public information would be detrimental to the interest of the public.

A motion was made to go into Executive Session by Mr. Griffith and seconded by Mr. Woolley. A roll call vote was made. Mr. Woolley voted “Aye”, Mr. Griffith voted “Aye”, and the Chair voted “Aye”.

A motion was made by Mr. Griffith seconded by Mr. Woolley to close the Executive Session and return to regular meeting. The motion was approved unanimously.

After reviewing Items “T” and “U” in Executive Session, the Committee acted on those matters in regular session.

ITEM T – DEPARTMENT OF TRANSPORTATION – A request for conceptual approval was made for a Temporary Easement for six months-AP 34/Lot 233 Northwest Bike Trail Project, Johnston. A motion for approval was made by Mr. Griffith and seconded by Mr. Woolley.

Passed Unanimously

ITEM U – DEPARTMENT OF TRANSPORTATION – A request was

**made to approve concurrence to an Administrative Settlement for
Condemnation of Plat 2671-Parcel 1A Glen C. Brown. A motion for
approval was made by Mr. Griffith and seconded by Mr. Woolley.**

Passed Unanimously

**There being no further business to come before the Committee, the
meeting adjourned at 11:25 A.M.**

Jeanne M. Rainey, Interim Executive Secretary